IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5681 of 2007()

CMP.4442/2007 of J.M.F.C.,THIRUVALLA
[CRIME NO.62/2007 OF EXCISE RANGE OFFICE, THIRUVALLA]

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PETITIONERS/ACCUSED NOS.1 & 2

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1. ANIYAN KUNJU, S/O. NARAYANAN,
KARAKKADU HOUSE, KOIPURAM, KOIPURAM VILLAGE.

2. K.K.RAJU, S/O. KESAVAN,
THALAVANKUNNEL HOUSE, KOIPURAM, KOIPURAM VILLAGE,
THIRUVALLA TALUK.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS: COMPLAINANT

THE EXCISE INSPECTOR,
THIRUVALLA EXCISE RANGE, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5681 of 2007

Dated this the 19th day of September 2007

O R D E R

Application for regular bail. The petitioners are accused 1 and 2. They face allegations under the Kerala Abkari Act. The petitioners were allegedly employees of the toddy shop. 3 litres of arrack was allegedly found kept in their possession in the toddy shop. The petitioners were arrested on 29/8/2007. They continue in custody from that date. They have no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners can now be enlarged on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 29/9/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of their release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007